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Order Filed on March 24, 2017 by
Clerk U.S. Bankruptcy Court
District of New Jersey

Attorneys for Movant

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

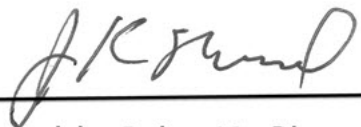
In Re:	Chapter: 13
David J. Diabo,	Case No.: 15-17725-JKS
Debtor.	Judge: John K. Sherwood

ORDER APPROVING LOAN MODIFICATION AGREEMENT

The relief set forth on the following pages, number two (2) through three (3) is hereby

ORDERED

DATED: March 24, 2017



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: David J. Diabo
Case No.: 15-17725-JKS
Caption of Order: **ORDER APPROVING LOAN MODIFICATION AGREEMENT**

THIS MATTER having been opened to the Court upon the motion of Nationstar Mortgage LLC, as servicer for The Bank Of New York Mellon f/k/a The Bank Of New York As Trustee For First Horizon Alternative Mortgage Securities Trust 2005-AA8 (“Movant”) for an Order approving a Loan Modification Agreement and the Chapter 13 Trustee and all parties who have filed a notice of appearance in the case having been given proper notice, and no objections have been field, and it appearing that said loan modification is proper and in the best interest of the Debtor and the estate, and for good cause shown, it is hereby ordered that:

1. Movant’s Motion is hereby granted and the Loan Modification Agreement attached to the Motion as Exhibit “A” is approved;
2. Movant’s Mortgage secured by real property owned by the Debtor located at 39 Zeek Road, Morristown, NJ 07950 dated April 22, 2005 in the original principal amount of \$496,000.00 is hereby modified in accordance with the terms set forth in the Loan Modification Agreement attached to the Motion as Exhibit “A;”
3. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Movant shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification;
4. The Chapter 13 Trustee shall suspend disbursements to Movant pending completion of loan modification and all money that would otherwise be paid to Movant, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the Movant that the modification was not consummated;
5. In the event the modification is not consummated, the Movant shall notify the Trustee and debtor’s attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Movant;

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Debtor(s): David J. Diabo

Case No.: 15-17725

~~Caption of Order: ORDER APPROVING LOAN MODIFICATION AGREEMENT~~

6. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan;
7. Debtor shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order;
8. With respect to any post- petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fees which are being capitalized into the loan, secured creditor will amend any and all post- petition orders or claims within 30 days after completion of the loan modification; and
9. Communication and/or negotiations between Debtor and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.